

7/14/87

GLASS & BRAND

ATTORNEYS AT LAW

71 SUMMER STREET

BOSTON, MASSACHUSETTS 02110

TELEPHONE
(617) 482-6355

TELEX: 650-2715959
MCI MAIL: RGLASS/BOSTON
Telecopier (617) 482-7197

July 8, 1987
#chalpin.1ec



SEMS DocID 593783

Richard J. Chalpin, Deputy Regional
Environmental Engineer
Northeast Region
Department of Environmental Quality
Engineering
5 Commonwealth Avenue
Woburn, Massachusetts 01801

RECEIVED

Re: Middleton - Tom Sawyer Beverage Co., 42 School Street
DEQE File No. 3-168

Dear Mr. Chalpin:

I am writing in response to your letter dated May 29, 1987 to Mrs. Sandra Pollock regarding the water supply at the above-mentioned property. In that letter, you reiterate an earlier request by the Department that the Beverage Company install a water treatment system and conduct periodic water testing at its facility on account of contaminants that were detected in its water supply by Department testing.

It is still our position that the water quality at the Beverage Company facility does not, as a matter of law, require the measures that the Department is requesting. Monthly testing by a private lab engaged by the Beverage Company has consistently detected no 1,1,1 trichloroethane (TCE) in the Beverage Company's water, using detection limits as low as 1 ppb. The test by the Department that detected TCE found an extremely low level of it (3.1 ppb), which is well below the proposed federal drinking water standard of 200 parts per billion for TCE, and which could have been the result of analytical error.

Nevertheless, given the nature of the Beverage Company's business and its interest in ensuring that its water supply remains clean, the Beverage Company is prepared to comply with both your requests, namely the installation of a water treatment system and periodic testing. The Beverage Company has received a proposal from, and in the very near future will be contracting with Groundwater Technology, Inc. of Norwood, Massachusetts for installation of a carbon adsorption unit and for periodic testing of both the effluent and the influent at the frequencies specified in your letter. The system will include one 55 gallon stainless steel unit, and is more fully described in Groundwater Technology's attached proposal, supporting correspondence and description of the unit.

I am concerned by the observation in your letter that the laboratory test results submitted by the Tom Sawyer Beverage Company to the Department to date

do not conform with Department standards. The principle reason for my concern is that the Beverage Company has been submitting test results in this form since last fall, and this is the first that we have heard these complaints. While I have spoken with Ida Babroudi about the reports, the concern that she has expressed to me has been whether the labs have been properly certified. I thought that I had cleared up this problem and provided her with information showing that the labs in question were certified, and I was surprised to learn that there are these other issues about the lab reports. Nevertheless, the Company's outside lab has prepared revised reports to satisfy the concerns expressed in your letter, and I am enclosing copies of them.

I would appreciate your letting me know as soon as possible whether there are any problems with the attached proposal. While I understand from Ms. Babroudi that the Department does not approve or disapprove such proposals, and that the true test will be the results of future water quality testing, we would like to know whether the proposal on its face passes at least a threshold test of acceptability in the Department's judgment.

Thank you for your attention to these matters, and I look forward to hearing from you or Ms. Babroudi soon.

Sincerely yours,



Susan F. Brand

Encls.

SFB/ti

cc: Mrs. Sandra Pollock

Ms. Ida Babroudi (w/encls.)

Mr. Leo Cormier, Middleton Board of Health (w/encls.)